

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re: FAIRFIELD SENTRY LIMITED, et al., Debtor in Foreign Proceedings.	Chapter 15 Case Case No. 10-13164 (CGM) Jointly Administered
FAIRFIELD SENTRY LTD. (IN LIQUIDA- TION), et al., Plaintiffs, v. THEODOOR GGC AMSTERDAM, et al., Defendants.	Adv. Pro. No. 10-03496 (CGM) Administratively Consolidated
FAIRFIELD SENTRY LTD. (IN LIQUIDA- TION), et al., Plaintiffs, v. ZURICH CAPITAL MARKETS COMPANY, et al., Defendants.	Adv. Pro. No. 10-03634 (CGM)

SIXTH AMENDED SCHEDULING ORDER
ON PERSONAL JURISDICTION BRIEFING AND SUBSEQUENT DISCOVERY

WHEREAS, on September 28, 2021, the Court entered a scheduling order for briefing motions to dismiss for lack of personal jurisdiction (“PJ Motions”), entered by the Court at ECF No. 326;

WHEREAS, on January 14, 2022, the Court amended that scheduling order to facilitate the parties’ continued negotiations over jurisdictional discovery, entered by the Court at ECF No. 366;

WHEREAS, the parties stipulated to the Second Amended Scheduling Order on Personal Jurisdiction Briefing and Subsequent Discovery, so-ordered by the Court on July 27, 2022, at ECF No. 391 (“Second Amended Scheduling Order”);

WHEREAS, the Second Amended Scheduling Order gave the Liquidators until March 31, 2023 to file briefs in opposition to defendants’ PJ Motions, which extension the Liquidators contended was necessary to receive the jurisdictional discovery needed to oppose defendants’ PJ Motions;

WHEREAS, the parties stipulated to the Third Amended Scheduling Order on Personal Jurisdiction Briefing and Subsequent Discovery, so-ordered by the Court on March 27, 2023, at ECF 404 (“Third Amended Scheduling Order”);

WHEREAS, the Third Amended Scheduling Order gave the Liquidators until May 12, 2023 to file briefs in opposition to defendants’ PJ Motion, which extension was necessary to provide the parties time to negotiate potential dismissals of four defendants that had filed PJ Motions in this action;

WHEREAS, the parties stipulated to the Fourth Amended Scheduling Order on Personal Jurisdiction Briefing and Subsequent Discovery, so-ordered by the Court on May 15, 2023, at ECF 414 (“Fourth Amended Scheduling Order”);

WHEREAS, the Fourth Amended Scheduling Order gave the Liquidators until June 12, 2023 to file briefs in opposition to defendants’ PJ Motion, which extension was necessary to provide the parties time to negotiate potential dismissals of two defendants that had filed PJ Motions in this action;

WHEREAS, the parties stipulated to the Fifth Amended Scheduling Order on Personal Jurisdiction Briefing and Subsequent Discovery, so-ordered by the Court on June 12, 2023, at ECF

419 (“Fifth Amended Scheduling Order”);

WHEREAS, the Fourth Amended Scheduling Order gave the Liquidators until June 26, 2023 to file briefs in opposition to defendants’ PJ Motion, which extension was necessary to provide the parties time to negotiate potential dismissals of two defendants that had filed PJ Motions in this action;

WHEREAS, the Liquidators are continuing to negotiate potential dismissals with one defendant who filed a PJ Motion in this action (EFG Private Bank SA) together, the “ZCM PJ Movant”);

WHEREAS, the Liquidators and the ZCM PJ Movant require additional time to conclude those negotiations and agree it will be inefficient for the Liquidators to prepare oppositions to the ZCM PJ Movants’ PJ Motions when the ZCM PJ Movant may soon be dismissed from the action;

WHEREAS, the ZCM PJ Movant joined the Liquidators in submitting the Joint Notice of Presentment of Order Amending Case Schedule filed herewith and consent to extend the deadline for the Liquidators to file opposition briefs to its PJ Motion from June 26, 2023 to July 10, 2023;

WHEREAS, there is good cause to extend the case schedule accordingly.

IT IS NOW, THEREFORE, HEREBY ORDERED, that:

1. The Liquidators shall file its oppositions to the ZCM PJ Movant’s PJ Motion by **July 10, 2023**;

2. The ZCM PJ Movant shall file its reply in further support of its PJ Motion within 90 days of service of an opposition with respect to its PJ Motion;

3. The Court shall hear argument with respect to the ZCM PJ Movant’s PJ Motion at the next omnibus conference that is at least 30 days after service of a reply in further support of such PJ Motion; and

4. To the extent not modified herein, the provisions of the September 28, 2021 scheduling order regarding the PJ Motions (ECF No. 326), the provisions of the October 27, 2021 scheduling order following the parties' Rule 26(f) conference (ECF No. 339), and all other provisions of the July 27, 2022 Second Amended Scheduling Order (ECF No. 391), the March 27, 2023 Third Amended Scheduling Order (ECF No. 404), the May 15, 2023 Fourth Amended Scheduling Order (ECF No. 414), the June 12, 2023 Fifth Amended Scheduling Order (ECF No. 419) remain in full force and effect.

Dated: June 27, 2023
Poughkeepsie, New York



/s/ Cecelia G. Morris

Hon. Cecelia G. Morris
U.S. Bankruptcy Judge